

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
BARRY ALLEN GABELMAN,
Defendant.

2:20-CR-019-JCM-NJK

Preliminary Order of Forfeiture

BARRY ALLEN GABELMAN,
Defendant.

This Court finds Barry Allen Gabelman was found guilty of Count One of a Two-Count Criminal Indictment charging him with coercion and enticement in violation of 18 U.S.C. § 2422(b). Criminal Indictment, ECF No. 17; Minutes of Jury Trial, ECF No. 113; Jury Verdict, ECF No. 119.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in Forfeiture Allegation One of the Criminal Indictment and the offense of which Barry Allen Gabelman was found guilty. Criminal Indictment, ECF No. 17; Minutes of Jury Trial, ECF No. 113; Jury Verdict, ECF No. 119.

The following property is (1) any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of 18 U.S.C. § 2422(b) and (2) any property, real or personal, used or intended to be used to commit or to facilitate the commission of 18 U.S.C. § 2422(b) and is subject to forfeiture pursuant to 18 U.S.C. § 2428(a)(1) and 18 U.S.C. § 2428(b)(1)(A) with 28 U.S.C. § 2461(c):

1. LG cellphone, SN: 804CYWC037089;
 2. Trojan Bare Skin condom recovered from Barry Allen Gabelman, on

December 6, 2019

28 | (all of which constitutes property).

1 This Court finds that on the government's motion, the Court may at any time enter
2 an order of forfeiture or amend an existing order of forfeiture to include subsequently
3 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and
4 32.2(b)(2)(C).

5 This Court finds the United States of America is now entitled to, and should, reduce
6 the aforementioned property to the possession of the United States of America.

7 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
8 DECREED that the United States of America should seize the aforementioned property.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
10 rights, ownership rights, and all rights, titles, and interests of Barry Allen Gabelman in the
11 aforementioned property are forfeited and are vested in the United States of America and
12 shall be safely held by the United States of America until further order of the Court.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
14 of America shall publish for at least thirty (30) consecutive days on the official internet
15 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
16 describe the forfeited property, state the time under the applicable statute when a petition
17 contesting the forfeiture must be filed, and state the name and contact information for the
18 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
19 and 21 U.S.C. § 853(n)(2).

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
21 or entity who claims an interest in the aforementioned property must file a petition for a
22 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
23 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
24 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
25 right, title, or interest in the forfeited property and any additional facts supporting the
26 petitioner's petition and the relief sought.

27 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
28 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,

1 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
2 not sent, no later than sixty (60) days after the first day of the publication on the official
3 internet government forfeiture site, www.forfeiture.gov.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
5 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
6 Attorney's Office at the following address at the time of filing:

7 Daniel D. Hollingsworth
8 Assistant United States Attorney
9 James A. Blum
Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101.
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11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
12 described herein need not be published in the event a Declaration of Forfeiture is issued by
13 the appropriate agency following publication of notice of seizure and intent to
14 administratively forfeit the above-described property.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
16 copies of this Order to all counsel of record.

17 DATED February 17, 2022.

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19 
20 JAMES C. MAHAN
21 UNITED STATES DISTRICT JUDGE
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